

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION**
No. 4:12-CR-94-D

UNITED STATES OF AMERICA,)	
)	
v.)	ORDER
)	
KATHERINE LASSWELL,)	
)	
Defendant.)	

On February 1, 2015, Katherine Lasswell (“Lasswell”) moved pursuant to 18 U.S.C. § 3582, U.S.S.G. § 1B1.10(c), and U.S.S.G. Amendment 782 to reduce her 84-month sentence. See [D.E. 100]. On February 9, 2015, the government responded in opposition. See [D.E. 103]. On March 3, 2015, Lasswell replied. See [D.E. 108].

The court recognizes its discretion to reduce Lasswell’s sentence. The court has reviewed the entire record, considered the factors in 18 U.S.C. § 3553(a) and the Sentencing Commission’s policy statements, and declines to reduce Lasswell’s sentence. See, e.g., United States v. Perez, 536 F. App’x 321, 321 (4th Cir. 2013) (per curiam) (unpublished); United States v. Stewart, 595 F.3d 197, 200–01 (4th Cir. 2010); cf. United States v. Smalls, 720 F.3d 193, 196–97 (4th Cir. 2013). Lasswell’s criminal history includes a child-sex conviction and the failure to register as a sex-offender. See PSR [D.E. 76] ¶¶ 18–19. Notwithstanding her criminal history and serious offense conduct involving methamphetamine, the court granted the government’s substantial assistance motion under U.S.S.G. § 5K1.1 and 18 U.S.C. § 3553(e) and sentenced Lasswell to 84 months’ imprisonment. See [D.E. 88, 92]. Lasswell received this sentence despite having a total offense level of 29, a criminal history category of III, and an advisory guideline range of 120–135 months’ imprisonment. See PSR ¶ 59. While incarcerated, Lasswell has committed four infractions,

including fighting, engaging in a sexual act, stealing, and telephone abuse. See [D.E. 103] 3–6. The infractions are serious. Lasswell also has taken some positive steps while incarcerated. See [D.E. 108] 3–4. Nonetheless, reducing Lasswell's sentence would pose a danger to the community. Lasswell received the sentence that was sufficient, but not greater than necessary under 18 U.S.C. § 3553(a), and the court declines to reduce it. See, e.g., Perez, 536 F. App'x at 321.

In sum, Lasswell's motion for a sentence reduction [D.E. 100] is DENIED.

SO ORDERED. This 14 day of May 2015.



JAMES C. DEVER III
Chief United States District Judge